

Ngāi Tahu Participation and Relationship with Te Ihutai and The Avon-Heathcote Estuary Ihutai Trust



Advisory Report Prepared for Avon-Heathcote Estuary Ihutai Trust

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Cover image: Photograph, Ihutai from Montgomery Spur Reserve, December 2008.
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1. Introduction & Background

The Avon-Heathcote Estuary Ihutai Trust (referred to hereafter as “the Trust” or AHEIT) are working toward protecting and restoring the ecosystem health and resources of the Avon-Heathcote Estuary / Ihutai (“the Estuary”). The Trust is supported by Christchurch City Council and Environment Canterbury, which have legislative responsibilities for the Estuary – its environment and waterways – and community well-being.

The Trust have prepared a non-statutory management plan (Ihutai Management Plan 2004) which sets a vision and supporting goals for a vital and healthy Estuary through the restoration of natural values. This includes specific and clearly directed goals, targets and actions to address tangata whenua interests in the Estuary, including a target to restore mahinga kai values. The goals and targets are strongly focussed on recognising the historical relationship of Ngāi Tahu with Te Ihutai, seeking to reflect that, and to involve Ngāi Tahu in the achievement of the goals going forward.

To this end, the Trust have sought to gain the involvement of Te Ngāi Tūāhuriri Rūnanga in the implementation of the management plan in various ways: meeting with the Rūnanga at their marae - the Trust Chair has met with Ngāi Tūāhuriri Rūnanga at Tuahiwi marae to establish a relationship, explain the objectives of the Trust and the management plan, and seek their participation and support. To date, the Rūnanga have broadly supported the work of the Trust, but have had limited direct involvement and participation in this work. In addition, several individuals have been active in the work of the Trust since its establishment. In the early phase of the Trust, a kaumatua of Te Ngāi Tūāhuriri Rūnanga (Mr Rakihia/Rik Tau) held a formal but ex-officio Manawhenua position on the Trust. In addition, another Ngāi Tahu person (Elizabeth Cunningham) has become involved more recently as an interested party, but not as a representative of the Rūnanga. The Trust also commissioned some cultural health research, led by Mr Craig Pauling (officer of Te Rūnanga o Ngāi Tahu and affiliations with Te Ngāi Tūāhuriri Rūnanga) and other members of Te Ngāi Tūāhuriri Rūnanga and Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga were involved.

While these existing relationships are valued by the Trust, there is a desire for stronger participation of, and connection with, the Rūnanga. Also, the Trust have funding for research projects to support restoration objectives for the Estuary and would like to support projects of interest and importance to Ngāi Tahu. The priorities of Rūnanga and capacity to respond to the work and priorities of the Trust is often constrained and this is a primary reason for the preparation of this report to the Trust.

2. Purpose of Report

Mahaanui Kurataiao Ltd (MKT) was commissioned by the Trust, through Environment Canterbury, to prepare this advisory report:

- To guide and support the endeavours of the Trust to strengthen their relationship with Ngāi Tahu, in particular the Rūnanga;
- To identify tangata whenua priorities for the work of the Trust;
- To identify a tangata whenua project that could be undertaken within the annual suite of projects;
- To make recommendations about priorities for future projects;
- To confirm the support of the Rūnanga for the engagement and project recommendations.

3. Role of Mahaanui Kurataiao Ltd

Mahaanui Kurataiao Ltd is a company recently established by the six Rūnanga of the Christchurch area (Te Ngāi Tūāhuriri, Te Hapū o Ngāti Wheke – Rāpaki, Wairewa, Ōnuku, Koukourārata, Taumutu) to engage with Councils and other agencies in relation to tangata whenua interests in environmental and resource management matters. Mahaanui Kurataiao Ltd (MKT) acts in a liaison, facilitation and advisory role, on behalf of these Rūnanga, to organisations that require information on tangata whenua interests and values. In addition, Mahaanui Kurataiao Ltd advises organisations on whether consultation with the Rūnanga is needed and assists where appropriate. The current members of the Board of Directors are listed in Appendix 2.

MKT was contacted by the Trust in early 2008 to help identify a project of interest and value to the Rūnanga in relation to Te Ihutai, that could be undertaken that year. The advice given by MKT at the time was to take a step back and broaden the Trust's consideration of tangata whenua projects into a wider view of the relationship with and participation of tangata whenua, and to identify the broad priorities of tangata whenua in the contracting of projects of relevance to them. In seeking to progress this, the Trust (via Environment Canterbury) funded a small initial advisory contract with MKT to determine what this wider approach could entail (the summary report from this contract is attached as Appendix 1). A follow-on project was established and is reported here. This completes the advisory work of MKT to the Trust.

4. Ngāi Tahu – the Tangata Whenua

Ngāi Tahu are the tangata whenua who hold ancestral and traditional relationships for the area of Christchurch City and the Avon-Heathcote Estuary/ Te Ihutai. Ngāi Tahu is formally recognised through the Te Rūnanga o Ngāi Tahu Act 1996, which established Te Rūnanga o Ngāi Tahu (TRONT) as the legal identity and representative of the tribe. Te Rūnanga is made up of eighteen Papatipu Rūnanga who represent the whānau and hapū interests of particular areas.



Te Rūnanga o Ngāi Tahu Structure (Ngāi Tahu Website, June 2009)

The takiwā¹ of Te Ngāi Tūāhuriri Rūnanga encompasses the Avon-Heathcote Estuary/ Te Ihutai. Te Ngāi Tūāhuriri Rūnanga is based at their marae at Tuahiwi, near Kaiapoi. The whānau and hapū of this Rūnanga can demonstrate their traditional and ancestral relationships from this primary residence in North Canterbury to the area of Christchurch City. In addition, the Rūnanga of Rāpaki - Te Hapū o Ngāti Wheke - also claim an ancestral and traditional relationship with areas of Christchurch, including the Estuary.



Mahaanui, the Rūnanga whareniui at Tuahiwi, 2005 (Photo: Ti Kōuka Whenua, Christchurch City Libraries Website)



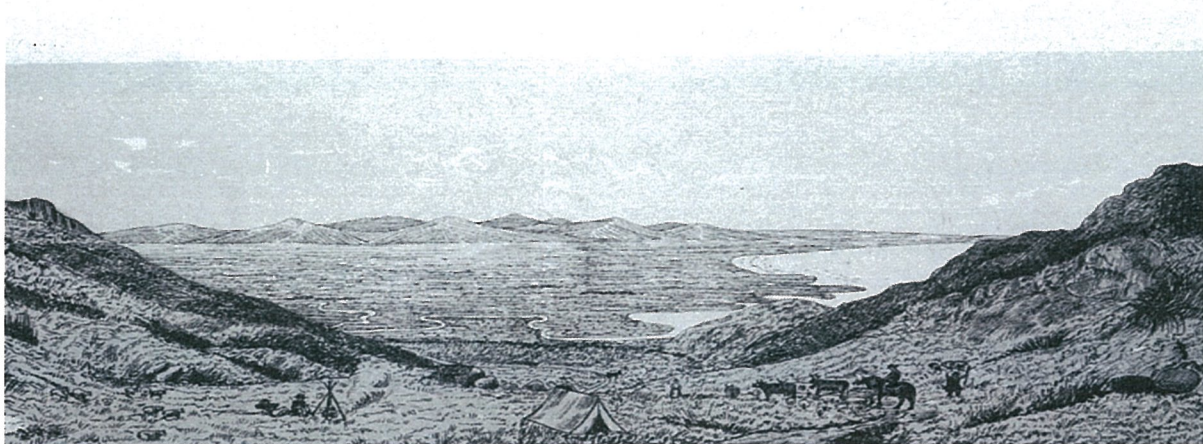
Te Wheke, the Rūnanga whareniui at Rāpaki, 2005 (Photo: Ti Kōuka Whenua, Christchurch City Libraries Website)

5. Te Ihutai – the Cultural Context

The contemporary and historical Ngāi Tahu structures and interests/relationships with Te Ihutai set the framework for how the work of the Trust relates to tangata whenua.

5.1 Historical Context for Ngāi Tahu

Historically, Te Ihutai was an extensive and highly valued mahinga kai area², part of a large network of waterways and wetlands around Christchurch and extending to Tuahiwi in North Canterbury.



Canterbury Plains from the Bridle Path, Port Hills, ca. 1850. (Sketch: Christchurch City Libraries Website)

¹ An area of traditional authority and mahinga kai (resource use and gathering)

² A summary of the values and cultural context was presented in the Pauling 2007 report to the Trust and will not be repeated here.

Te Ihutai provided for generations and large numbers of Ngāi Tahu tīpuna. A Māori Reserve (“Te Ihootai”/“Te Ihutai”) was established to recognise and preserve the fishing rights of Ngāi Tahu in this area as the settlement of Christchurch diminished the availability of mahinga kai resources. The original reserve had more than one hundred grantees.



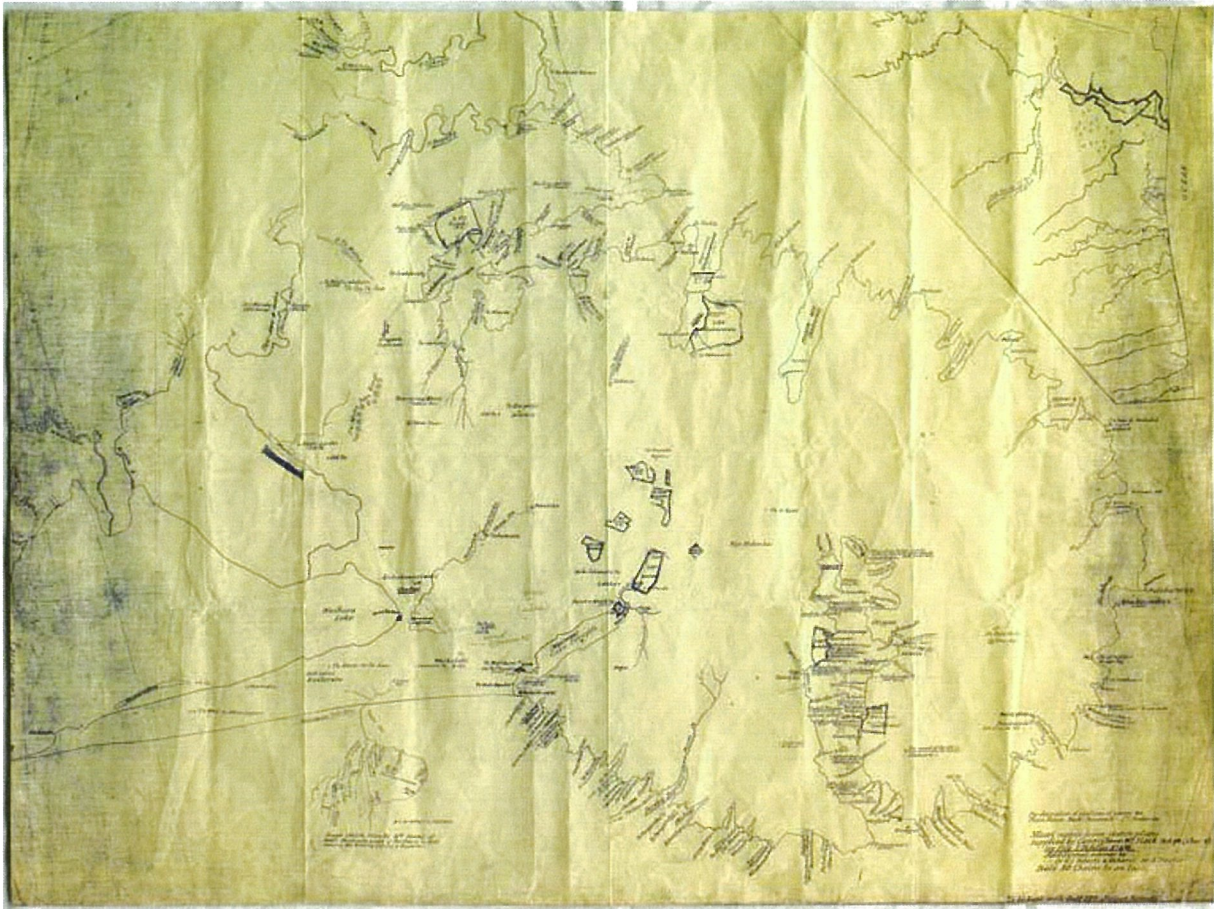
Example of Mahinga Kai
Harvesting Harakeke, 1913
(Photo: Christchurch City Libraries Website)

In 1956 this reserve was confiscated under the Public Works Act and saw, in addition to the discharges from the growing settlement of Christchurch to the Avon and Heathcote Rivers, the establishment of sewerage treatment works and disposal of sewerage to the Estuary. This discharge of human sewerage into an area of traditional food gathering was highly offensive to tangata whenua and compounded the alienation from what was a significant mahinga kai resource.

The loss of this significant mahinga kai resource and the nature of the degradation of cultural values, has remained highly offensive for tangata whenua, and the Estuary today remains essentially a lost resource. As a result, an attitude of strong concern, as well as disgust, remains with some Ngāi Tahu people. This history has resulted in a cultural disassociation with areas of ancestral connection for some of the whenua and hapū of Ngāi Tahu.

In the settling of Ancillary Claims alongside the Ngāi Tahu Claim settlement, an alternate location, in Waimakariri District, has been designated a reserve for the descendants of the original grantees of Te Ihutai – currently there are more than 3,500 descendants who can claim ownership to the replacement Te Ihutai.

The Trust’s work toward restoring the Estuary as a mahinga kai resource, and improving the water quality of the Estuary, will be a significant factor in the re-building of a relationship for Ngāi Tahu with Te Ihutai. It is important that in seeking stronger relationships with Rūnanga, the Trust maintains an awareness of this historical context and recognises that there are a range of positions that will be encountered within Ngāi Tahu regarding their relationship with the Estuary today – from that of ‘divorced’, to disturbed, through to a desire for active participation and support for restoration.



Maori place names of Banks Peninsula and the Avon-Heathcote Estuary, 1894 (Christchurch City Libraries Website).

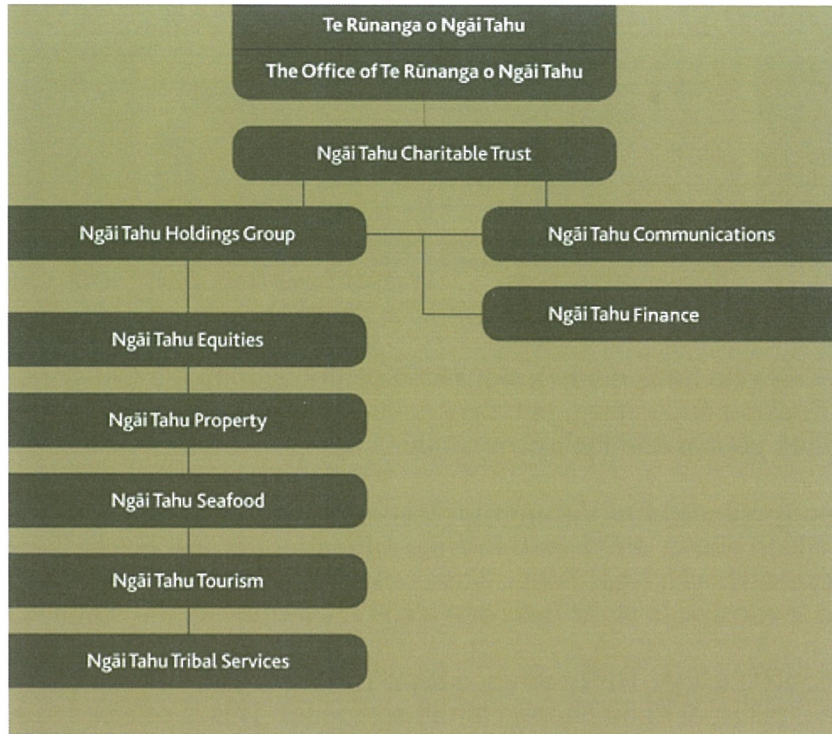
5.2 Ngāi Tahu – Understanding the Contemporary Context

The structure and nature of Ngāi Tahu today is complex, and organisations seeking the input and/or support of tangata whenua for projects need to be aware of where and who to make connections with. In addition to the traditional structures of whānau (family) and hapū (groups of families with connections to areas of land), Ngāi Tahu now have a corporate structure established through legislation and economic structure that enables them to focus on the development of Ngāi Tahu people and communities, their culture and development. This structure includes – Te Rūnanga o Ngāi Tahu – which is a board (called TRONT) made of elected representatives from each of the 18 Papatipu Rūnanga.

The Papatipu Rūnanga are marae based whānau and hapū groups around the South Island. In Christchurch there are six Rūnanga – Te Ngāi Tūāhuriri, residing at Tuahiwi in north Canterbury, but with traditional associations with the area of Christchurch; and four Rūnanga on Banks Peninsula (Ōnuku at Akaroa, Koukourārata at Port Levy, Wairewa at Little River and Te Hapū o Ngāti Wheke at Rāpaki in Lyttelton Harbour). Taumutu Rūnanga, with a marae near Leeston, also have interests in part of the Christchurch City area. Each Rūnanga has a territory (takiwā) that reflects their traditional areas used by their tīpuna (ancestors) for settlements (pā, kāinga) and resource gathering (mahinga kai).

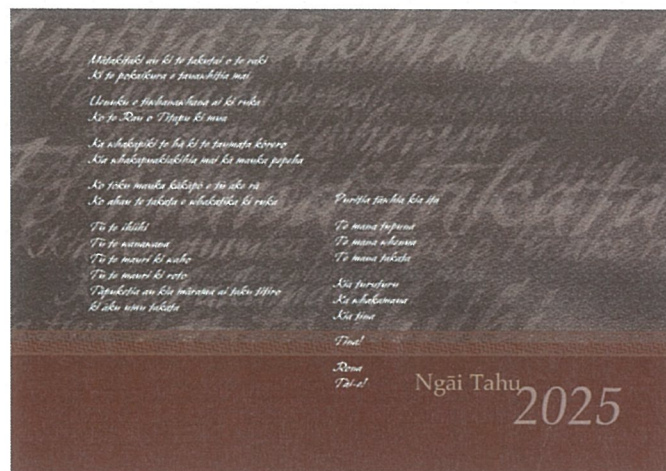
The iwi is the collective of whānau and hapū who form the Papatipu Rūnanga, and the collective of the Papatipu Rūnanga who form the iwi of Ngāi Tahu – the legal entity for the iwi is Te Rūnanga o Ngāi Tahu. This “board”, known as TRONT, oversees the investment and management of the settlement assets, the distribution of benefits to the people and the

protection of Ngāi Tahu rights and interests. The Board is supported by a Chief Executive and office (referred to as The Office) with staff ensuring the protection of the settlement assets and delivery of benefits and settlement commitments. TRONT owns the Ngāi Tahu Holdings Corporation which in turn has several subsidiaries, including Ngāi Tahu Properties, Ngāi Tahu Seafood, Ngāi Tahu Tourism. The structure has been likened to that of a local authority with a Council elected from particular areas, they have a governance and office functions, and can own subsidiary organisations, e.g., CCHL in Christchurch.



Ngāi Tahu Organisational Structure (Ngāi Tahu Website)

Ngāi Tahu is now a contemporary and vital iwi with a strong economic base which supports the social and economic development of the whānau, marae and hapū. It sees Ngāi Tahu active in matters of importance, particularly in the areas of health, education and the environment. Ngāi Tahu developed a vision document called 2025 in which the aspirations of



Cover Page – Ngāi Tahu 2025 (Ngāi Tahu Website)

the people and communities are set-out and lead the programmes of delivery by TRONT. The guiding philosophy for this development is: “Mō tātou, ā, mō kā uri ā muri ake nei” – For us

and our children after us. This is particularly reflected in the Ngāi Tahu approach to environmental management.

There is a wealth of information available on the Ngāi Tahu website (www.ngaitahu.iwi.nz) which will assist any Trust members in understanding more about Ngāi Tahu past and today. Of particular interest may be the latest annual report, which can be found at (<http://www.ngaitahu.iwi.nz/Publications/Governance/#AnnualReports>). This particular report highlights the achievements of Ngāi Tahu over the past ten years since the settlement,



Signing Deed, 1997



Shotover 100%, 2004



Waikato-Tainui MoU, 2007



CCC Civic Centre, 2008

Photos from Ngāi Tahu Annual Report 2008 (Ngāi Tahu Website)

Ngāi Tahu are an iwi who have made a significant contribution to the Christchurch, South Island and New Zealand economies, and they continue to actively invest in the growth and development of their people and their community.

a) Natural Resources and Environmental Management

The context described above is provided to bring a broader perspective to the work of the Trust and its relationship with Ngāi Tahu. The context of immediate relevance to the Trust and its objectives in relation to Ngāi Tahu can also be viewed with the statutes in mind.

The legislative³ context is that Te Rūnanga o Ngāi Tahu is legally the representative of Ngāi Tahu Whānui (all Ngāi Tahu people) for all purposes. This is referred to as the TRONT Act, which identifies the Papatipu Rūnanga and the areas over which they hold tribal authority, and represents the interests of whānau and hapū. The establishment of the iwi through this Act of Parliament was an expression of the strong identity of the iwi and to enable Ngāi Tahu to function in a contemporary world in a manner that reflected their local and tribal structures. The Ngāi Tahu Claims Settlement Act (1998) provided the vehicle through which the economic, social and cultural development of the tribe could be based. It contained a suite of mechanisms, but those of relevance to the work of the Trust include the aspects that relate to the recognition of Ngāi Tahu rights and interests in relation to their ancestral lands and waters, in particular the coastal statutory acknowledgement – Te Tai o Mahaanui (from Selwyn to Banks Peninsula Coastal Marine Area, includes Te Ihutai). Further information on statutory acknowledgements is available online at the following site:

<http://www.mfe.govt.nz/publications/rma/stat-acknowledgments-may99.pdf>.

b) Ensuring Mandates

The importance and value of these legal structures and instruments of the Settlement Act are that they provide a mechanism for agencies needing to engage with Ngāi Tahu, with mandated representatives. Understanding the need for this mandate is vital to establishing good relationships with Ngāi Tahu as it provides the assurance to agencies over who they should work with. For the work of the Trust, this mandate is achieved primarily through contact with the Rūnanga involved – Te Ngāi Tūāhuriri Rūnanga and Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga. The Rūnanga have the role of ensuring that the cultural and spiritual values and interests of whānau and hapū of their Rūnanga are recognised and provided for. Te Rūnanga should also be advised when activities being considered have significant potential to affect the long term status of the Estuary, or would significantly affect tangata

³ Te Rūnanga o Ngāi Tahu Act 1996.

whenua interests. Individuals may be mandated by the Rūnanga (or iwi) to act and speak on their behalf. This is commonly the approach taken by Rūnanga because of the large demands for their time and attention, and because of the interests and expertise of individuals within the Rūnanga.

In addition to Rūnanga and Te Rūnanga, the owners and trustees of the replacement Te Ihutai Reserve in Waimakariri District will also have a continuing interest in the state of health and management of the Estuary. While any legal rights of the Te Ihutai grantees are now held with the replacement reserve, the current owners still hold an ancestral relationship and historical association with Te Ihutai. Given that the original grantees are also members of the Rūnanga, working with the Rūnanga will ensure the broad interests of these grantees are put forward. However, it is recommended that if the Trust undertakes particular activities, that they keep the Te Ihutai Reserve Trust informed, particularly when formal public consultation is to be undertaken. Examples of where the work of the Trust could be of particular interest to the Te Ihutai Trust would be where work involves proposals to change the status of the Estuary, or where any historical or tangata whenua stories, ancestors and ancestral locations are to be made public through information and/or signage.

Today, Ngāi Tahu is more strongly placed to be active participants in the management of resources of significance to them, as the Ngāi Tahu Claims Settlement Act (1998) provided the structures and resources for whānau and hapū to collectively organise and build capacity. However, organisations seeking Ngāi Tahu involvement/consultation should be aware that capacity limitations can result in lack of availability and constraints to participation, despite any potential benefits of the work for tangata whenua values.

6. Avon-Heathcote Ihutai Trust – A Role in Reconciliation

In spite of the history of Te Ihutai, the Rūnanga maintain the general approach of supporting, in culturally appropriate ways, those groups who are working to maintain, restore and enhance natural values of the Estuary. Through this project, the Rūnanga have expressed their support for the vision and work of the Trust.

The Trust has an important role in supporting a reconnection between Ngāi Tahu and the Estuary through:

- its endeavours to influence and change current practice in the wider catchment;
- the planned enhancement and restoration programmes in the Estuary itself; and
- the way it engages with and seeks participation from Ngāi Tahu.

This report endeavours to identify ways that the Trust can approach and achieve its objectives in relation to Ngāi Tahu. In practice this will be achieved through an ongoing commitment to the relationship by the Trust, the continuation of tangata whenua-focussed research and projects, and ongoing work with individual representatives of the Rūnanga over time. There are now more tangata whenua interested in working with the whenua and through the monitoring and investigation project already commissioned by the Trust, the reconnection and rebuilding of capacity is already being encouraged and supported. Advice given here seeks to build on this approach being taken by the Trust.

7. Tangata Whenua – Contemporary Priorities for Te Ihutai

The Avon-Heathcote Trust has multiple aspects of focus in the implementation of the Ihutai Management Plan 2004. To support and assist the Trust to understand how their work programmes relate to or address tangata whenua values, this project sought to identify Ngāi Tahu's priorities for recognising and restoring or enhancing the cultural values of Te Ihutai.

7.1 Relationship of Priorities to 2007 State of the Takiwā Recommendations

The 2007 State of the Takiwā report contained a comprehensive list of recommendations for the Trust and other agencies to address to achieve the desired improvement in the state of the estuary tributary rivers and the estuary itself. This report does not replicate those recommendations, nor seek to review the recommendations. Instead, the advice provided here approaches prioritisation of the recommendations provided in the 2007 work and directing the efforts of the Trust related to tangata whenua matters into those areas that are of greater priority for Ngāi Tahu. The 2007 work had a particular focus on the estuary itself, but also included the tributary rivers. The for the advice in this report seeks to prioritize the objectives of Ngāi Tahu for the estuary by drawing on the recommendations from the 2007 report and discussing these with Ngāi Tūāhuriri and Rāpaki representatives, and the authors of the 2007 work. For ease of assessing which aspects of the 2007 report are addressed in this prioritisation, a table is included in Appendix 2 which references the 2007 recommendations and whether or how they have been prioritised and reported here.

The objectives below are listed in order of priority for Ngāi Tahu for their preference in the restoration and enhancement of their values with and interests in Te Ihutai. They reflect a contemporary view of Te Ihutai and the goals and objectives of Ngāi Tahu. In particular, they reflect the work done for the Trust by Pauling and others in 2007. The recommendations were discussed with representatives of the Rūnanga⁴ and the principle authors⁵ of the 2007 State of the Takiwā report.

7.2 Mauri Restored through Healthy Water

Ngāi Tahu priorities for Te Ihutai begin with the restoration of the contributing waterways. The quality and nature of these waters are vital to achieving a standard of cultural health that would support mahinga kai use. A high priority for Ngāi Tahu is therefore the improvement of water quality through such things as reducing or improving waste water discharges, reducing stormwater flows, improving stormwater treatment, and buffering and riparian protection of waterways – all of which should be addressed in planning for network infrastructure, urban development, urban design, and regional planning and regulation.

Ngāi Tahu are aware that these are areas that the Trust does not have direct control or influence over, but are a focus of its advocacy through the various democratic processes that are available. The advocacy work of the Trust in these matters is supportive of objectives for enhancing water quality and is appreciated by Ngāi Tahu.

7.3 Mahinga Kai – Restoring Cultural Resources

In its current degraded state, the estuary is not culturally suitable for mahinga kai, especially kaimoana, and there is little marginal indigenous habitat for other types of mahinga kai. Ngāi Tahu strongly support the restoration and enhancement of Te Ihutai but, at the same time, they are pragmatic about what is possible in the short term, particularly for kaimoana. The contributing waterways still host untreated stormwater discharges and sewerage overflow

⁴ Clare Williams, Joan Bergman, Te Marino Lenihan, Chair and Executive Members of Te Ngāi Tūāhuriri Rūnanga, and Donald Couch Chair of Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga.

⁵ Craig Pauling and Te Marino Lenihan.

discharges, and there are currently no public plans in place to incorporate treatment into the existing stormwater infrastructure⁶. For Ngāi Tahu, the current priority for kaimoana is therefore to focus on research; on the current state and health of these resources in the Estuary; and to consider possibilities for restoration.

In addition to kaimoana, opportunities for mahinga kai restoration are provided through habitat restoration and enhancement programmes, through the availability and accessibility for cultural harvest of species, e.g., flax, rongoā, birds (refer to 7.4 below).

7.4 Indigenous Habitat Restoration & Enhancement

It is particularly important to Ngāi Tahu that habitat restoration is undertaken around the Estuary and that native species are used (locally sourced if possible), that replicates the marginal flora of an earlier Ihutai. There is a strong focus on identifying a suitable location for establishing of tall stand of coastal forest or swampland species e.g., kahikatea. The purpose of such an area would be to create for future generations of Ngāi Tahu, and Christchurch residents, an example of vegetation that was once common in Christchurch. The re-establishment of an area of native forest with tall tree species, would be highly significant for Ngāi Tahu because of their value for native birds and mahinga kai. It would also re-establish an accessible location for Ngāi Tahu generations to come, to undertake traditional mahinga kai practices from such areas – there are no such areas currently available in Christchurch.

This is a significant and important objective for Ngāi Tahu, and is being advocated for with Christchurch City Council through Council planning and programmes. Potential areas for forest re-establishment include: Jellicoe Park, South Brighton Domain, near the Heathcote River entrance and near the treatment ponds. The suitability of any of these areas needs further investigation.

7.5 Restoring Ngāi Tahu Connections

Restoring Ngāi Tahu connections with this once significant cultural resource could take many forms. For the activities of the Trust, there are some particular ways that these connections could be assisted.

Building Ngāi Tahu Capacity

Ngāi Tahu seeks opportunities for their young people to be directly involved in understanding and assessing areas of their takiwā. It is a focus for Rūnanga that their people have opportunities to be involved – to build their capacity, knowledge and experience within their takiwā, and to enhance the mana of the people and ngā Rūnanga by increasing the skills and knowledge base of the whenua within the takiwā of the Rūnanga.

The Trust has supported this through the commissioning of the State of the Takiwā work in 2007. Recommendations for projects in this report seek to continue this approach.

Expressing Ngāi Tahu Relationships

The relationships and connection between Ngāi Tahu and Te Ihutai can be acknowledged through such things as use of appropriate Māori names, native plantings and provision for cultural use, landscape design, public information and interpretation elements, including the use of artworks. Ngāi Tahu support the telling of their stories associated with places around Te Ihutai provided that Rūnanga are involved in planning and commissioning of such works, e.g., identifying appropriate locations and individuals to advise on design, stories and

⁶ Note that Christchurch City Council is doing significantly more in relation to new development areas of the City that will ultimately discharge to Te Ihutai.

interpretation, and the creation of artworks, through to appropriate cultural ceremonies for installation and opening.

In addition, the Te Ihutai Māori Reserve Trust will need to be advised and their involvement requested when information and interpretation elements are being planned and commissioned.

While such programmes are supported in principle by Rūnanga, projects are not recommended in this report as they are not primary focus for Rūnanga priorities in relation to Te Ihutai. However, Rūnanga would not decline engagement or participation in the event that the Trust implementation has such projects as a priority.

Another method that the Trust could use to more strongly reflect the Ngāi Tahu relationship with the Estuary, is to consider management mechanisms that are embedded in kaupapa Māori, e.g., to consider establishing a mātaimai or taiāpure as a mechanism to bring greater regulatory status to the estuary, but that is more reflective and enabling of tikanga māori and cultural practices. There are several areas where these exist already within Christchurch, e.g., Rāpaki, Koukourārata, Akaroa Harbour, and new applications for areas around Wairewa and Birdlings Flat.

7.6 Estuary Sediments

There is a general understanding amongst Rūnanga members that there has been an accumulation of various contaminants in the sediments of the Estuary and there is a concern that this could affect the health of sediment-dwelling kaimoana, in addition to the potential adverse effects resulting from contamination of waters of the Estuary.

Ngāi Tahu are aware that dredging technologies for contaminated sediment are active internationally. However, in the case of The Trust, such an approach would be an ambitious long term option and potentially cost-prohibitive. However, Ngāi Tahu considers it important to identify this as a factor which may influence the long term cultural view of Te Ihutai as a restored mahinga kai resource. A practical recommendation regarding this is set-out below, looking to learn from Māori approaches to restoration of mahinga kai in polluted estuaries in other parts of New Zealand.

7.7 Effects of Activities on Wāhi Tapu and Wāhi Taonga

In undertaking activities associated with restoration and enhancement around the Estuary, the Trust and its operators may, during land disturbance and earthworks, discover cultural materials. While this is unlikely, it is recommended should such materials be discovered, that The Trust follow standard discovery protocols, which involve stopping activities and contacting the New Zealand Historic Places Trust and Ngāi Tūāhuriri Rūnanga. The purpose of this protocol is to ensure that statutory requirements for found materials and heritage protection are followed, and for Ngāi Tahu to be assured that any cultural effects on such materials can be addressed.

8. Conclusions and Recommendations

The commitment of the Trust to the restoration and enhancement of Te Ihutai, and to a relationship with Ngāi Tahu, has been welcomed and much appreciated by the Rūnanga. The expression of that commitment through the tangata whenua related objectives in the Ihutai Management Plan (2004) is an important acknowledgement by the Trust. This report seeks to identify how this excellent commitment could be followed through with tangata whenua-focussed and prioritised research projects. These projects will themselves become a vehicle through which the Trust can help to build Rūnanga capacity and engagement, and through this approach actively restore and build the relationship between themselves and the Rūnanga, and between the Rūnanga and Te Ihutai itself.

Recommendations made below seek to maintain and build on the excellent start the Trust has made in expressing goals and objectives that address tangata whenua values and in establishing and building their relationship with tangata whenua.

8.1 The Trust's Relationship and Engagement with Ngāi Tahu

It is recommended that the Avon-Heathcote Estuary Ihutai Trust:

- i) maintain a sensitivity to deeply held cultural concerns of some Rūnanga members and anticipates and acknowledges these if they arise in situations where the Trust is addressing or working with tangata whenua;
- ii) understands the nature and structure of Ngāi Tahu, and works through the Rūnanga in the first instance, in relation to projects and planning for the restoration of Te Ihutai;
- iii) creates a trustee position (other than ex-officio) for a tangata whenua representative in the form of an invitation for a two year appointment from Te Ngāi Tūāhuriri Rūnanga;
- iv) recognise the capacity issues that constrain Rūnanga and their individual representatives and provide as much lead in time as possible for project planning and implementation, with at least 3 weeks notice of meetings. Consideration should also be given for covering mileage for tangata whenua representatives if they live out of the city;
- v) keep Ngāi Tahu informed of activities through quarterly updates to the Rūnanga, advising them of current and planned projects, particularly those of relevance to tangata whenua, and any enhancement/development works the Trust is intending to undertake within the following six months;
- vi) plan tangata whenua-related projects six months ahead of the start of the financial year with appropriate Rūnanga representatives, then hold a hui with Rūnanga to confirm their support for these projects;
- vii) recognise that there are differences between the Rūnanga in their view of the extent and exclusivity of their customary authority (takiwā). In the case of Te Ihutai, Te Ngāi Tūāhuriri Rūnanga do not recognise the customary rights of Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga in Te Ihutai. This is not a matter for this report or the Trust to resolve; instead the focus must be in working within this context. This can be addressed by approaching it as an area of shared takiwā, with Te Ngāi Tūāhuriri as the primary kaitiaki Rūnanga, maintaining an advisory and informative relationship with Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga. This approach was used in the 2007 monitoring work and was taken in the approach to the preparation of this advice by MKT.
- viii) undertakes formal consultation with Rūnanga and Te Rūnanga for projects of relevance to the Ngāi Tahu priorities identified above e.g. proposals to change management status (such as the proposed Ramsar status), activities requiring

resource consents, replanting programmes and interpretation. The procedure for consultation is to write to Rūnanga chairs and secretaries, and to the Manager Toitū te Whenua at Te Rūnanga o Ngāi Tahu.

8.2 Participation & Priorities

It is recommended that the Avon-Heathcote Estuary Ihutai Trust:

- ix) continue their advocacy for the buffering of waterways, reduction in stormwater inflows, and high level treatment of stormwater through the upgrade of stormwater infrastructure;
- x) ensure opportunities for Ngāi Tahu people from Rūnanga to be involved in, and lead, research and monitoring programmes relating to tangata whenua values - this could occur through contracts directly with the Rūnanga or contracts with Rūnanga members via MKT;
- xi) in relation to x) above, initiate a Ngāi Tahu led investigation of the state of existing mahinga kai in Te Ihutai – contracting the same parties involved in the 2007 State of the Takiwā monitoring of the Avon-Heathcote Estuary Catchment – to identify the occurrence of mahinga kai in different locations of Te Ihutai and whether there are particular locality differences and/or substrate associations;
- xii) initiate a Ngāi Tahu led project to investigate the possibility of kaimoana species shellfish seeding in three or four locations in Te Ihutai to form the basis of a cultural health monitoring programme over several years, to assess the viability and sustainability of mahinga kai populations;
- xiii) undertakes to repeat a Ngāi Tahu led State of the Takiwā (cultural health assessment) monitoring of the rivers at least five yearly, with the first repeat to be undertaken in 2011;
- xiv) (if not already done) investigates the extent of sediment contamination in the Estuary, including the extent to which sediment contamination may be affecting the health and quality of sediment-dwelling kaimoana⁷, considers options for remediation, and informs and discusses options with Ngāi Tahu;
- xv) in relation to xiv) above, initiate a Ngāi Tahu led collaborative research project on tangata whenua estuary enhancement and restoration in other parts of New Zealand, looking in particularly at the approaches taken, if any remedial works were involved, and the cultural success of the programme;
- xvi) consult with Rūnanga and seek involvement at an early stage regarding the location and nature of habitat restoration plantings.

8.3 Tangata Whenua Focussed Projects – Initial Priorities

An objective for the work undertaken by MKT was to identify the priorities of tangata whenua for projects that the Trust could undertake in the 2008/2009 financial year and beyond. The preparation of this report by MKT has been significantly delayed due to staffing/capacity issues, therefore the project recommendations now address 2009/2010 and 2010/2011. These projects are supported by the Rūnanga and follow-on from the recommendations made in the 2007 State of the Takiwā Monitoring work undertaken for the Trust.

It is recommended that the Trust undertake the projects set-out below as a matter of priority for expenditure of any tangata whenua focussed funds. If this would not be possible, at all, or

⁷ The nature and extent of existing research on Te Ihutai was not considered in the preparation of this report, therefore this information may already be available.

within the timeframes, it is recommended that the Trust advise Rūnanga (this can be reported through MKT if sought).

1) Projects in 2009/2010

State of Takiwā Monitoring: Existing State of Te Ihutai Mahinga Kai

- Initial monitoring of mahinga kai in different locations of the estuary, and identification of substrate variability and mahinga kai distributions.
- Consideration of potential shellfish reseeded locations and Tangata Tiaki support.
- Contractor to be same as for 2007 State of the Takiwā monitoring of the catchment.
- Programme of Work – Ngāi Tahu led, include Rūnanga representatives (as for 2007).
- Project Estimated Budget: \$8,000–\$10,000.

Potential follow-on from above Project: Ihutai Cultural Health - Shellfish Seeding Project

- Recommendation for viability and locations to come from 2009/2010 work.
- Tangata Tiaki and Te Ihutai Māori Trustee to be consulted/involved if project agreed.
- Three or four locations of different substrate/kaimoana behaviours/preferences.
- Purpose is monitoring viability of species re-seeding and cultural health of species over relevant period (this will be determined by the growth rate and life cycle of species chosen)
- On an ongoing basis will involve monitoring sustainability of re-seeded population, and cultural health of samples from re-seeded areas at appropriate frequencies (growth rate and life cycle factors will influence).
- Rahui and advisory notices to be installed to restrict take of re-seeded species.
- Objective to also involve same contractors as State of Takiwā work.

2) Project in 2010/2011

2011 - State of Takiwā Monitoring: Avon-Heathcote Estuary and Catchment

- Repeat 2007 Monitoring Programme – timing to be determined by species patterns.
- Objective to use same contractor to be same as for 2007 monitoring.
- Programme of Work – to include Rūnanga representatives (as for 2007).
- Project Estimated Budget – to be planned Jul-Dec 2010.

There is more work required on project planning and project establishment, it was not part of the scope of work for this advisory report.

9. References

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10. Online Resources & References

Christchurch City Libraries Website:

Photographs, Sketches & Maps from Christchurch City Libraries, Images Collection
Canterbury Plains Sketch, Harvesting Harakeke, Maori Place Names Map,
<http://christchurchcitylibraries.com/Heritage/Photos/> and
<http://christchurchcitylibraries.com/Heritage/Maps/>

Photographs from Christchurch City Libraries, Ti Kouka Whenua
Wharenuui at Tuahiwi and Rāpaki
<http://christchurchcitylibraries.com/TiKoukaWhenua/TuahiwiMarae/>
<http://christchurchcitylibraries.com/TiKoukaWhenua/RapakiMarae/>

Ngāi Tahu Website:

Annual Report 2008, Te Rūnanga o Ngāi Tahu
<http://www.ngaitahu.iwi.nz/Publications/Governance/NTAR08.pdf>

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Ngāi Tahu Structure, Te Rūnanga o Ngāi Tahu
<http://www.ngaitahu.iwi.nz/Te-Runanga/>

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<http://www.mfe.govt.nz/publications/rma/stat-acknowledgments-may99.pdf>.

11. Acknowledgements

The Avon-Heathcote Estuary Ihutai Trust and Environment Canterbury are gratefully acknowledged for the opportunity given to MKT and the Rūnanga to bring a wider lens to the work of the Trust, and for the opportunity to focus the Trust's attention on matters of specific importance to Ngāi Tahu. MKT also appreciates the understanding and patience shown by the Trust and Environment Canterbury staff in the difficulties encountered in the preparation of this report due to understaffing at MKT.

MKT is most appreciative and holds in high regard the Ngāi Tahu and Rūnanga representatives spoken to as part of this project, for their knowledge and experience of the whenua and their willingness to share this to assist the progression of this mahi. In particular, Craig Pauling and Te Marino Lenihan for contributing their knowledge of their State of the Takiwā work.

Finally to the staff of Mahaanui Kurataiao Ltd, who each assisted the author to bring this report to completion, whose expertise and assistance was invaluable.

He mihinui ki a koutou katoa

12. Appendices

Appendix 1. Summary Report from Phase 1 Advisory Project

Appendix 2. Mahaanui Kurataiao Ltd Board of Directors as at June 2009

**Appendix 3. Table Listing Recommendations from 2007 State of Takiwā Report
with Priorities Identified in this Report**

**Appendix 4. Fact Sheet on Customary Fishing and Designated Areas in
Christchurch**

Appendix 1. Summary Report from Phase 1 Advisory Project

Summary Report on Phase 1 Contract – Engagement with Ngāi Tahu

Prepared for:

Shelley Washington, Environment Canterbury, and

Avon-Heathcote Estuary Ihutai Trust

1. Introduction & Background

Andrea Lobb, General Manager of Mahaanui Kurataiao Ltd (MKT) was approached by Shelley Washington of Environment Canterbury, and Alex Drysdale, Chairman of the Avon-Heathcote Estuary Ihutai Trust (AHEIT) in regard to the AHEIT research projects of relevance to tangata whenua on Te Ihutai (the Estuary).

As a company recently established by the six Ngāi Tahu Rūnanga in Christchurch, the step was taken to approach MKT to assist the Trust to progress its relationship with Ngāi Tahu and to progress project work for the 2007/2008 financial year.

In the preceding year, AHEIT had contracted a research project to Ngāi Tahu representatives to monitor the tributary rivers of the estuary (the Avon and Heathcote Rivers). This work was undertaken by Craig Pauling, Te Marino Lenihan, Makarini Rupene, Nukuroa Tirikatene-Nash and Rewi Couch, and was reported in July 2007. The AHEIT sought to understand how to progress additional projects to build on the relationship and interest established during the 2007 work.

A small contract with MKT was established through Environment Canterbury to provide advice to the AHEIT on progressing their Ngāi Tahu relationship and research programme. The contract set-out to provide an initial framework for considering what would assist the Trust to progress these matters.

2. Central Issues for the Avon-Heathcote Estuary Ihutai Trust

The approach made to MKT came with three central issues:

- a) How could the Trust get more interest and engagement from Ngāi Tūāhuriri Rūnanga for its activities in general, and those related to tangata whenua in particular;
- b) What programmes of research and activity could the Trust undertake to support Ngāi Tahu values and interests in the estuary;
- c) How could the Trust get engagement with Ngāi Tūāhuriri when it needed to formally consult on proposed initiatives for the estuary.

Mahaanui Kurataiao Ltd, as an advisory agency to local authorities in Christchurch considered that it could appropriately provide responses to guide and support the direction and objectives of the Trust in this regard.

3. Bridging the Engagement/Consultation Gap

In fulfilling a role between Christchurch City Council and the Rūnanga in Christchurch, Mahaanui Kurataiao Ltd understands and directly advises the Council on how to address the engagement/consultation gap with Ngāi Tahu. The same approach was generally applicable to the

Trust, through understanding the history and background to the organisations, the reason for the gap and opportunities for addressing.

The approach taken by MKT was to:

- Understand the needs of the Trust;
- Understand the interests, needs and values of Ngāi Tahu;
- Understand the dynamics and dilemmas facing parties in relation to the engagement related to their respective roles and histories;
- Identify mechanisms that would assist the engagement of the Trust with Ngāi Tahu in a way that was cognisant of the Ngāi Tahu issues and concerns for Te Ihutai, and the organisational and capacity challenges faced by the Rūnanga.

4. Overview of Existing Circumstance

Understanding the Ngāi Tahu Experience of Te Ihutai

- Ngāi Tahu have since 1956 been directly alienated from a significant mahinga kai resource;
- Use of the rivers and estuary as the sewer and drains of Christchurch has been, and continues to be, culturally offensive;
- Contamination of the estuary make it unfit for cultural use

Understanding the Goals of AHEIT

- To restore the estuary to health;
- To regain the mahinga kai values of the estuary;
- To work with Ngāi Tahu to achieve these goals.

Understanding Ngāi Tahu Today

- Iwi and organisational structures in place, statutory basis;
- Capacity limitations for Rūnanga;
- Mandate for representation important.

5. Bridging the Gap – MKT Assessment

The following outcomes were identified through the MKT evaluation as matters that could be addressed by the AHEIT:

- Goals of AHEIT parallel many Ngāi Tahu goals for environmental restoration;
- Better outcome for engagement if bring broader view of relationship and goals;
- Goal for use of estuary for kaimoana is long term goal – see engagement with Ngāi Tahu as same;
- Opportunities for rebuilding Ngāi Tahu relationship with estuary and Trust - through projects, appropriately structured representation, understanding the context for Ngāi Tahu; understanding Ngāi Tahu priorities; starting with small practical projects addressing Ngāi Tahu priorities.

6. Proposal for Phase 2 Contract

The outcome of this initial evaluation was a recommendation for the AHEIT (through Environment Canterbury) to contract MKT to consider further how the AHEIT objectives for their engagement and Ngāi Tahu related projects could be best progressed by the AHEIT.

A second, larger contract was established (Phase 2) in July 2008.

Appendix 2: Mahaanui Kurataiao Ltd Board of Directors as at June 2009

Director	Rūnanga Represented
Clare Williams and Joan Burgman	Te Ngāi Tūāhuriri Rūnanga
Iaeae Cranwell, Chairperson and Liz Maaka	Wairewa Rūnanga
George Tikao and Peter Clayton	Ōnuku Rūnanga
Graeme Grennell and Meri Crofts	Te Rūnanga o Koukourārata
June Swindells and Nuku Korako	Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga
Maani Stirling and Professor Hirini Matunga	Te Taumutu Rūnanga

Appendix 3: Table Listing Earlier Ngāi Tahu Recommendations from 2007 State of Takiwā Report with Priorities Identified in this Report

Recommendations in 2007 State of Takiwā Report (Pauling et al)	Relationship to MKT Report and Priorities
<p>1. That all waterways, including drains are treated with the same standards and managed for shellfish/food gathering into the future.</p> <p>2. Increased protection and enhancement of waterways in the catchment through the development of 'native riparian buffer zones' in all currently unplanted public/council owned areas. These buffer zones should be at least 20 metres wide and planted according to Christchurch City Council streamside planting guide, and/or fenced where appropriate.</p>	<p>Not referred to in MKT report</p> <p>Not specifically addressed in MKT report</p>
<p>3. Greater advocacy and rates relief for native riparian buffer zones in currently unplanted areas on private land, in particular the upper Heathcote river catchment around Wigram</p> <p>4. The development of policy in the district plan to require native riparian buffer zones and on-site stormwater treatment systems when any land adjacent to any waterway (including drains) is subdivided.</p>	<p>Not referred to in MKT report</p> <p>Not referred to in MKT report</p>
<p>5. Identification and recording of all stormwater inputs in the catchment and investigation into the effects of these inputs on water quality, including native fish, birds, insects and plants.</p> <p>6. The development of stormwater treatment systems, perhaps using swales and constructed wetlands, within public lands and parks adjacent or near to waterways.</p>	<p>Not referred to in MKT report</p> <p>Not directly addressed in MKT report</p>
<p>7. Specific investigation into the stormwater inputs entering the upper Heathcote River (particularly the Warren Park/Wilmers Road, Wigram Basin and Annex Rd drains) that in turn impact on the water quality of lower Heathcote River.</p> <p>8. The protection and enhancement of any existing significant areas of native flora and fauna, including but not limited to: Jellie Park, Putarikamotu (Deans Bush), Waipapa (Little Hagley Park), Waikakariki (Horseshoe Lake), Orupaeroa (Travis Wetland), Lower Avon River area near Bridge Street, Jellicoe Park, Wigram Basin (including Templetons Road), Pioneer Stadium, Westmorland, Opawaho, Ferrymead and New Brighton Beach.</p>	<p>Not referred to in MKT report</p> <p>Included re. Plantings around estuary, recommendations re. Restoration of tall tree habitat near Jellicoe Park</p>
<p>9. The extension of native plant restoration efforts around the edge of the Estuary and at Sumner beach.</p> <p>10. The protection and enhancement of known spring sites, including but not limited to Templetons Rd and Jellie Park and to look at the possibility of developing areas for potential future mahinga kai revitalisation.</p>	<p>Included in MKT report</p> <p>Not referred to in MKT report</p>
<p>11. Halting all direct stormwater and drainage inputs into Horseshoe Lake by developing pre-input treatment wetlands/swales and/or diverting the current inputs directly into the Avon River.</p>	<p>Included in MKT report</p>

<p>12. Protection and enhancement of the Avonhead site, being the former source spring of the Avon River (private land) and future development of a public walkway along the old channel that still exists there.</p>	<p>Not referred to in MKT report</p>
<p>13. Interpretation of the cultural and historical significance of the estuary at Te Kai a Te Karoro (Jellicoe Park), Te Karoro Karoro (South Brighton Spit), Te Raekura (Redcliffs), Rapanui (Shag Rock) and Tuawera (Cave Rock), including But not limited to: specific native plant restoration (species of traditional significance), archaeological surveys, information panels and/or artwork/sculpture.</p>	<p>Included in MKT report</p>
<p>14. Interpretation of the cultural and historical significance of the Heathcote River around the Owaka area (Wilmers Road/Awatea Road), Annex Road (Te Heru o Kahukura), Spreydon area (Waimokihi), including but not limited to: specific native plant restoration (species of traditional significance), archaeological surveys, information panels and/or artwork/sculpture.</p>	<p>Not referred to in MKT report</p>
<p>15. Regular rubbish clean up events around the estuary foreshore, including but not limited to: the lower Avon (Kibblewhite Street) and lower Heathcote (Settlers Crescent) areas.</p>	<p>Not referred to in MKT report</p>
<p>16. Planting of appropriate lowland forest and coastal native species within South Brighton Domain/Jellicoe Park area, and/or when the existing Macrocarpa trees are removed, to mark the significance of Te Kai a Te Karoro.</p>	<p>Included in MKT report</p>
<p>17. Continued support of Travis Wetland restoration efforts, and the investigation of developing a native fish kohanga area through transfers of appropriate species 18. Continued regular monitoring, including cultural assessments, to understand the success, or otherwise, of future management and development of the catchment</p>	<p>Not referred to in MKT report Included in MKT report</p>

Appendix 4: Fact Sheet on Customary Fishing and Designated Areas

Source: Ministry for the Environment



Customary fishing rights and the 1992 fisheries settlement

What was the 1992 fisheries settlement?

- On 23 September 1992 the Crown and representatives of Maori signed a Deed of Settlement settling Maori interests in commercial fishing and making provision for statutory recognition of Maori customary non-commercial fishing rights. The Deed was given effect by the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992.
- The settlement had two main parts.
 - A settlement of all claims to commercial fishing rights which included the transfer of capital and significant commercial fishing rights to the Treaty of Waitangi Fisheries Commission, for later allocation to iwi.
 - Recognition of ongoing customary non-commercial fishing rights, and an undertaking to develop systems to protect these rights.

Do customary fishing rights continue to exist?

- Yes. These rights were not extinguished by the settlement or the 1992 Act. Section 10(a) of the Act states that, in accordance with the principles of the Treaty of Waitangi, customary fishing rights continue to give rise to Treaty obligations on the Crown.
- The rights have now been given explicit statutory recognition. The Settlement Act required the Minister of Fisheries to develop policies and regulations to recognise the use and management practices of tangata whenua and the special relationship between tangata whenua and places of customary food gathering importance.
- The Crown and Maori worked together in the following years to develop a legal framework for the ongoing protection of customary non-commercial fishing activity.
- Customary non-commercial fishing rights are now protected by:
 - Regulation 27 of the Fisheries (Amateur Fishing) Regulations 1986.
 - Two sets of customary fishing regulations.
 - The ability to establish taiapure – local fisheries under the Fisheries Act 1996.
 - The ability to establish mataitai reserves under the Fisheries Act 1996.
- Annex 1 provides information on the implementation of the customary fishing regulations to date. Annex 2 provides information on taiapure and mataitai reserves.

Regulation 27

- This regulation enables tangata whenua in a particular place to exercise customary non-commercial fishing rights until they implement the comprehensive customary fishing regulations.
- It provides a defence against the general provisions of the amateur fishing regulations. Fishers must be able to demonstrate that they are fishing for the purpose of a hui or tangi, and have been authorised in accordance with the conditions in Regulation 27.
- It does not give tangata whenua the same degree of management authority as provided for by the customary regulations and mataitai reserve provisions.

Customary Regulations

- There are two sets of customary regulations:
 - The Fisheries (South Island Customary Fishing) Regulations 1998 became law on 20 April 1998.
 - The Fisheries (Kaimoana Customary Fishing) Regulations 1998, for the rest of the country, became law in December 1998.
- Both sets of regulations are essentially the same. The main difference is that the South Island regulations apply to the taking of fisheries resources in freshwater as well as the marine environment while the Kaimoana regulations only apply to marine resources. The regulations do not apply to areas reserved as Marine Reserves.

How do the customary regulations work?

- The customary fishing regulations provide for the devolution of management authority for customary non-commercial fishing to tangata whenua.
- Under the regulations, tangata whenua must first nominate kaitiaki (guardians) who will be responsible for issuing customary fishing authorisations, and specify the boundaries of their rohe moana (coastal marine area) within which the kaitiaki will have jurisdiction.
- Names and rohe boundaries are notified to the Minister, and the Minister then places a notice in the local newspaper and calls for submissions.
- Any disputes regarding who should be kaitiaki or over boundaries are referred back to the parties for resolution in a manner consistent with tikanga Maori and agreed to between the parties. The Minister appoints the nominated kaitiaki if no disputes arise or when disputes are resolved.
- Further information is available at: <http://www.fish.govt.nz/customary/index.html>.

Taiapure-Local Fisheries

- Taiapure are local fisheries areas. They can be established over areas of special significance to tangata whenua.
- Once a Taiapure-local fisheries area has been established, a management committee is appointed on the basis of nominations from the local Maori community. Taiapure management committees may recommend the making of general fisheries regulations to the Minister of Fisheries for the management of fish within the taiapure area, including regulations relating to commercial, recreational or customary fishing. Seven taiapure-local fisheries areas have been established to date (see Annex 2).

Mataitai Reserves

- Mataitai reserves provide for hands on management of all non-commercial fishing activity on traditional fishing grounds by kaitiaki, through the making of bylaws.
- The mataitai reserve provisions provide a tool for tangata whenua to ensure that there will always be areas with a sufficient abundance of fisheries resources for customary purposes. There is generally no commercial fishing permitted within mataitai reserves.
- The application and establishment process for mataitai reserves requires consultation with the local community and stakeholders, and the regulations contain a number of criteria for the Minister's decision on whether or not to approve a particular reserve.

ANNEX 1: Implementation of customary fishing regulations

Gazetted Kaitiaki appointments in the North Island

Tangata whenua group	Regional area	Gazetted coastal boundaries	Gazetted seaward boundaries	Number of kaitiaki
Taiamai ki te Marangai	Bay of Islands north	Waitangi to Takou Bay	Out to 200 nm	12
Nga Hapu o Aotea Moana	Aotea harbour	Aotea harbour	Harbour	11
Te Whanau a Maruhaeremuri	Eastern Bay of Plenty	Raukokore	2 nm	3
Ngai Tai	Eastern Bay of Plenty	Torere	3 nm	8 ¹
Te Whanau a Kaiaio ²	Eastern Bay of Plenty	Haurua to Korpiritoto	3nm	2
Potaka Marae Committee	East Cape	Midway Point to Potikirua Point	12 nm	Potaka Marae Committee
Te Whanau a Hungara	East Cape	Awatere river to Opure	Out to the Ranfurly Bank	Matahi-o-te-Tau Marae Committee
Ngati Konohi	Whangara north of Gisborne	Waihou Beach to Tatapouri Pt	Out to 200nm	3
Kaitiaki a Moremore	West of Napier	Waikare River to Bluff Hill	Extending out to include Pania Reef	2
Kairakau Land Trust	Southern Hawkes Bay	Huarau to Ouepoto Strm	200 nm	5
Ngati Kere	Southern Hawkes Bay	Ouepoto Strm to Akitio Rvr	Out to include Nth and Sth Madden Bnks	17
Te Hika O Papauma	Wairarapa	Poroporo to Whareama Rv	12 nm	4

¹ This information has been updated from that published on Monday 18 August 2003.

² This information was not included in the material published on Monday 18 August 2003.

Gazetted Kaitiaki appointments in the South Island

Tangata whenua group	Regional area	Gazetted coastal boundaries	Gazetted seaward boundaries	Number of kaitiaki
Ngai Tahu groups	Most of South Island excluding Nelson, Marlborough	All of Ngai Tahu rohe apart from small area in Canterbury	Out to 200 nm	134

Outstanding Kaitiaki notifications

	North Region	Central Region	South Region
Total notifications in progress	30	15	13 plus a number of reappointments, cancellations etc.
Number of those that are in dispute	27	10	2 (around Ngai Tahu northern boundary) and several from Ngai Tuahuriri hapu

ANNEX 2: Implementation of taiapure and mataitai reserves

Taiapure-local fisheries areas established to date

Location	Date established	Location	Date established
Waikare inlet, Bay of Islands	29/9/97	Porangahau, Wairarapa	4/6/96
Maketu, Bay of Plenty	21/3/96	Palliser Bay, Wairarapa	13/4/95

Other taiapure established to date are in:

- Kawhia Harbour,
- Karitane, North Otago
- Delaware Bay, North Nelson

Mataitai Reserves established

Location	Tangata whenua	Date established
Rapaki, Lyttelton Harbour	Te Hapu o Ngati Wheke Rapaki (Ngai Tahu)	1999
Koukourarata, Banks Peninsula	Te Runanga o Koukourarata (Ngai Tahu)	15 December 2000

Mataitai Reserve applications in progress

Location	Tangata whenua	Date applied for
Ruakokore	Te Whanau a Maruhaeremuri	2002
Napier	Ngai Te Ruruku O Te Rangi (Kaitiaki a Moremore)	June 2000
Waitutu (Southland)	Oraka Aparima Runaka	February 2001
Moeraki (Otago)	Te Runaka O Moeraki	March 2001